



PATENT

Attorney Docket No.: A-68872-1/RFT/SPL/467135-00098

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Zarling, et al.

Serial No.: 09/771,355

Filed: January 26, 2001

For: Use of RAD51 Inhibitors in
Gene Therapy

Examiner: Lambertson, D.A. #10

Group Art Unit: 1636

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Signed: 
Steve Lendaris

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

The following is in response to the Restriction Requirement mailed October 2, 2002. This Response is filed with a Petition for Extension of Time and the appropriate fee extending the period for response by five months up to and including April 2, 2003, making this a timely response. However, should it be determined otherwise, the Commissioner is authorized to charge any fees, including any extension fees, to Deposit Account No. 50-2319 (Our Order No: A-68872-1/RFT/SPL/ 467135-00098).

Claims 1-18 are pending in the instant application. The Examiner has restricted the claims to Group I, Claims 1-9 drawn to a method for inhibiting tumor cell proliferation using an antisense Rad51 inhibitor, classified in class 514, subclass 44, Group II, Claims 10-15, drawn to a method for inhibiting tumor cell proliferation using a small molecule Rad51 inhibitor, classified in class 514, subclass 42, Group III, Claims 16-17, drawn to a method for inhibiting tumor cell proliferation using a peptide inhibitor, classified in Class 514, subclass 2, and Group IV, Claim 18, drawn to a method for sensitizing tumor cells to radiation using Rad51 inhibitors, classified in class 424, subclass 9.2.

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Applicants hereby elect Group II, Claims 10-15. As a consequence, please cancel Claims 1-9 and 16-18 as being drawn to non-elected inventions. This paper is filed under 37 C.F.R. section 1.34(a).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date:

4/2/03



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